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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/960,424	09/21/2001	Junya Watanabe	14944	5559

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EXAMINER	
REVAK, CHRISTOPHER A	
ART UNIT	**PAPER NUMBER**
2131	

DATE MAILED: 12/28/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/960,424	WATANABE, JUNYA	
	Examiner	Art Unit	
	Christopher A. Revak	2131	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *30 September 2005*.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-12* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☒ Claim(s) *1-4 and 9-12* is/are allowed.

6)☒ Claim(s) *5-8* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *21 September 2001* is/are: a)☒ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☒ All b)☐ Some * c)☐ None of:

1.☒ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

Response to Arguments

1. Applicant's arguments with respect to claims 5-8 have been considered but are moot in view of the new grounds of rejection.

2. The amended claims 11 and 12 have overcome the rejection under 35 USC 101 for claiming non-statutory subject matter, the rejection is hereby withdrawn by the examiner.

3. Applicant's arguments pertaining to claims 1-4 and 9-12 have been considered by the examiner and the examiner agrees with the applicant's arguments that Venkatesan fails to disclose of a decrypting key based on an IP address, however the examiner has found novelty in the claim language based on additional limitations, please refer to the reasons for allowance as is recited below.

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

5. Claims 5 and 6 are rejected under 35 U.S.C. 103(a) as being unpatentable over Venkatesan et al, U.S. Patent 6,801,999 in view of Krause et al, U.S. Patent 6,070,198.

As per claim 5, Venkatesan et al discloses of a digital content reproducing apparatus comprising an electronic watermark data extraction unit for receiving encrypted digital contents embedded with electronic watermark data from a communication network and extracts the electronic watermark data from the encrypted digital contents. A decryption unit decrypts the encrypted digital contents by means of a decryption key. A reproducing unit reproduces an output of the decryption unit and displays a reproduced output on a display unit. A network interface unit outputs extracted electronic watermark data to the communication network and receives the decryption key from the communication network (col. 33, line 39 through col. 34, line 7). The teachings of Venkatesan et al are silent in disclosing of a decryption key based on an IP address. It is disclosed by Krause et al of a decryption key based on an IP address (col. 7, lines 24-29). It would have been obvious to a person of ordinary skill in the art at the time of the invention to have been motivated to encrypt data based on a key tied to a specific IP address so that only the intended recipient can decrypt the data based on a specific key associated with a particular IP address as is taught by Krause et al (col. 7, lines 24-30). It is obvious that the teachings of Venkatesan et al would have been made further secure by a specific key associated with an IP address has the ability to decrypt content as is disclosed by Krause et al.

As per claim 6, Venkatesan et al teaches of an electronic watermark data extraction unit receives the encrypted digital contents embedded with electronic watermark data from a data storage medium (col. 18, lines 62-67).

6. Claims 7 and 8 are rejected under 35 U.S.C. 103(a) as being unpatentable over Venkatesan et al, U.S. Patent 6,801,999 in view of Krause et al, U.S. Patent 6,070,198, in further view of Wu et al, U.S. Patent 6,700,991.

As per claim 7, Venkatesan et al discloses of a digital content reproducing apparatus comprising an electronic watermark data extraction unit for receiving encrypted digital contents embedded with electronic watermark data from a communication network and extracts the electronic watermark data from the encrypted digital contents. A decryption unit decrypts the encrypted digital contents by means of a decryption key. A reproducing unit reproduces an output of the decryption unit and displays a reproduced output on a display unit. A network interface unit outputs extracted electronic watermark data to the communication network and receives the decryption key from the communication network (col. 33, line 39 through col. 34, line 7). The teachings of Venkatesan et al are silent in disclosing of a decryption key based on an IP address. It is disclosed by Krause et al of a decryption key based on an IP address (col. 7, lines 24-29). It would have been obvious to a person of ordinary skill in the art at the time of the invention to have been motivated to encrypt data based on a key tied to a specific IP address so that only the intended recipient can decrypt the data based on a specific key associated with a particular IP address as is taught by Krause et al (col. 7, lines 24-30). It is obvious that the teachings of Venkatesan et al would have been made further secure by a specific key associated with an IP address has the ability to decrypt content as is disclosed by Krause et al.

The combined teachings of Venkatesan et al and Krause et al are silent in disclosing of an inverse DCT unit for performing inverse discrete cosine transformations. It is disclosed by Wu et al of inverse DCT unit for performing inverse discrete cosine transformations (col. 2, lines 10-26). It would have been obvious to a person of ordinary skill in the art at the time of the invention to have been motivated to apply performing inverse discrete cosine transformations. Wu et al discloses motivation for the use of inverse discrete cosine transformations by reciting of the need to increase invisibility of the watermark (col. 2, lines 61-65). It is obvious that the combined teachings of Venkatesan et al and Krause et al would have found the teachings of Wu et al beneficial as a further means of protecting watermarked content.

As per claim 8, Venkatesan et al teaches of an electronic watermark data extraction unit receives the encrypted digital contents embedded with electronic watermark data from a data storage medium (col. 18, lines 62-67).

Allowable Subject Matter

7. Claims 1-4 and 9-12 are allowed.

8. The following is a statement of reasons for the indication of allowable subject matter:

The prior art teachings of Venkatesan et al disclose of an encryption/decryption key based on watermark data, however the prior art fails to disclose of an encryption/decryption key based on watermark data and an IP address.

Conclusion

9. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

10. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Christopher A. Revak whose telephone number is 571-272-3794. The examiner can normally be reached on Monday-Friday, 6:30am-3:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ayaz Sheikh can be reached on 571-272-3795. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Christopher Revak
Primary Examiner
AU 2131

12/22/05

CR

December 22, 2005